

AMENDED IN SENATE JANUARY 4, 2016

AMENDED IN SENATE JULY 16, 2015

AMENDED IN SENATE APRIL 7, 2015

**SENATE BILL**

**No. 247**

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**Introduced by Senator Lara**

February 18, 2015

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An act to add Section 5384.3 to the Public Utilities Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

SB 247, as amended, Lara. Charter bus transportation: safety improvements.

The Passenger Charter-party Carriers' Act, with certain exceptions, prohibits a charter-party carrier of passengers from engaging in transportation services subject to regulation by the Public Utilities Commission without obtaining a specified certificate or permit, as appropriate, from the commission, and imposes various other requirements on charter-party carriers of passengers. The act provides for the safety regulation of charter-party carriers of passengers engaged in charter bus transportation by the commission. A violation of the act is a crime.

This bill would require a charter-party carrier of passengers engaged in charter bus transportation to ensure that the driver of a charter bus ~~performs 2 specified tasks prior to any trip that include, among other things,~~ *provides oral and written* instructions to all passengers on the safety equipment and emergency exits on the ~~vehicle.~~ *vehicle prior to the beginning of any trip and that the charter bus is equipped with specified safety equipment. The bill would also require those vehicles*

*manufactured after July 1, 2017, to be equipped with a secondary door for use as an additional emergency exit. The bill would require the Department of the California Highway Patrol to adopt, no later than July 1, 2017, standards and criteria for the implementation of these safety requirements. The bill would also make related findings and declarations and declare the intent of the Legislature to enact specified legislation to require safety improvements on charter buses. declarations.*

Because a violation of these provisions would be a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) The safety of passengers traveling in charter buses in
- 4 California is of the utmost importance. According to the Federal
- 5 Motor Carrier Safety Administration, between 1975 and 2012,
- 6 2013, there were over 11,000 fatal crashes involving charter buses,
- 7 including ~~4,567~~ 1,615 occupant fatalities. Improved safety
- 8 standards and practices are necessary to better protect passengers
- 9 in the event of a charter bus crash.
- 10 (b) On April 10, 2014, in ~~Orland~~ Orland, California, eight
- 11 passengers traveling on a charter bus, along with the driver, were
- 12 tragically killed in a freeway collision. In a report released in 2015,
- 13 the National Transportation Safety Board examined the crash and
- 14 made recommendations for safety improvements, including fire
- 15 performance standards for interior materials, requiring pretrip
- 16 safety briefings for passengers, improvements in vehicle design
- 17 to facilitate evacuation, and the installation of event data recorder
- 18 (EDR) technology for crash reconstruction and safety
- 19 improvements.

1 (c) These improvements would significantly increase passenger  
2 safety and would reduce or prevent future deaths in traffic  
3 collisions involving charter buses.

4 ~~SEC. 2. It is the intent of the Legislature to enact legislation~~  
5 ~~that would require charter buses to implement all of the following~~  
6 ~~safety improvements:~~

7 ~~(a) Burn resistant materials for occupant compartments.~~

8 ~~(b) Emergency lighting fixtures with self-contained independent~~  
9 ~~power sources that will turn on in the event of an accident.~~

10 ~~(c) Interior and exterior luminescent or retro-reflective~~  
11 ~~emergency signage.~~

12 ~~(d) An event data recorder capable of recording certain~~  
13 ~~vehicle-related data in the event of sudden deceleration or hard~~  
14 ~~braking.~~

15 ~~(e) Bus windows that can be easily opened and remain open~~  
16 ~~during an emergency.~~

17 ~~(f) That new buses be equipped with a secondary door for use~~  
18 ~~as an additional emergency exit.~~

19 ~~SEC. 3.~~

20 ~~SEC. 2.~~ Section 5384.3 is added to the Public Utilities Code,  
21 to read:

22 5384.3. (a) A charter-party carrier of passengers engaged in  
23 charter bus transportation shall ensure that ~~the driver of a vehicle~~  
24 ~~as described in paragraph (1) of subdivision (b) of Section 5363~~  
25 ~~performs both of the following tasks prior to any trip: is operated~~  
26 ~~in compliance with both of the following:~~

27 ~~(a) Instructs~~

28 ~~(1) The driver of the vehicle shall instruct all passengers on the~~  
29 ~~safety equipment and emergency exits on the vehicle: vehicle prior~~  
30 ~~to the beginning of any trip and provide each passenger with~~  
31 ~~written instructions that include, at a minimum, a demonstration~~  
32 ~~of the location and operation of all exits, including emergency~~  
33 ~~exits, and the importance of wearing a seatbelt, if available.~~

34 ~~(b) Provides each passenger with written instructions that~~  
35 ~~include, at a minimum, the location and operation of all exits,~~  
36 ~~including emergency exits, and the importance of wearing a~~  
37 ~~seatbelt, if available.~~

38 ~~(2) The vehicle shall be equipped with all of the following:~~

39 ~~(A) Burn resistant materials for occupant compartments.~~

1 (B) Emergency lighting fixtures with self-contained independent  
2 power sources that will turn on in the event of an impact or  
3 collision.

4 (C) Interior and exterior luminescent or retroreflective  
5 emergency signage.

6 (D) An event data recorder capable of recording certain  
7 vehicle-related data in the event of sudden deceleration or hard  
8 braking.

9 (E) Windows that can be easily opened and remain open during  
10 an emergency.

11 (b) A vehicle as specified in subdivision (a), manufactured on  
12 or after July 1, 2017, shall also be equipped with a secondary door  
13 for use as an additional emergency exit.

14 (c) The Department of the California Highway Patrol shall  
15 adopt, no later than July 1, 2017, standards and criteria for the  
16 implementation of the safety requirements specified in paragraph  
17 (2) of subdivision (a).

18 ~~SEC. 4.~~

19 SEC. 3. No reimbursement is required by this act pursuant to  
20 Section 6 of Article XIII B of the California Constitution because  
21 the only costs that may be incurred by a local agency or school  
22 district will be incurred because this act creates a new crime or  
23 infraction, eliminates a crime or infraction, or changes the penalty  
24 for a crime or infraction, within the meaning of Section 17556 of  
25 the Government Code, or changes the definition of a crime within  
26 the meaning of Section 6 of Article XIII B of the California  
27 Constitution.